

State of Alaska
Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing

BOARD OF MARITAL AND FAMILY THERAPY

MINUTES OF THE MEETING

Thursday, October 30th, 2014

These are DRAFT minutes prepared by the staff of the Division of Corporations, Business and Professional Licensing. These minutes have not been reviewed or approved by the Board.

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Marital and Family Therapy was held Thursday, October 30, 2014, beginning at 9:00 a.m. The meeting was held at the Atwood Building, 550 West 7th Avenue, Suite 1270 in Anchorage, Alaska.

Agenda Item 1 Call to Order/Roll Call

The meeting was called to order by Chair Leon Webber at 9:00 a.m.

Board Members Present, constituting a quorum:

Leon Webber, Chairman, Licensed Marriage and Family Therapist
Kennith McCarty, Licensed Marriage and Family Therapist
JoAnn Young, Public Member
Linda King, Licensed Marriage and Family Therapist

Attending from the Division of Corporations, Business and Professional Licensing were:

Laura Carrillo, Licensing Examiner
Sara Chambers, Director
Michele Wall-Rood, Investigator
Harriet (Dinegar) Milks, Attorney

Present from the Public:

No one from the public was present.

Agenda Item 2 Review Agenda**Time: 9:01 a.m.**

Laura Carrillo explained changes to the tentative agenda, including the initially planned Agenda Item #12, New Business, to begin at 11:00 a.m. as Agenda Item #7. Under the amended Agenda Item #7, a discussion on Board Evaluations was added. Initially planned Agenda Item #7, Budget Report and Division Update was amended to begin at 2:30 p.m. as Agenda Item #12. Laura informed the Board via e-mail on 10/22/14 that the Year End report became available but that the Board Packet had already been sent. Ms. Carrillo distributed the FY14 Year End report at the meeting. Additional applications for review were added to Agenda Item #6, including Christy Kay for Examination; Leon Webber distributed a Continuing Education application for the International Institute for the Communication Arts. Ms. Carrillo also informed the Board that attorney, Harriet (Dinegar) Milks would join the meeting telephonically to discuss 08.63.100 and labor mobility under Agenda Item #11.

On a motion duly made by Joann Young, seconded by Linda King, and approved unanimously, it was

RESOLVED to accept the amended agenda.

Agenda Item 3 Review Minutes**Time: 9:02 a.m.**

The Board reviewed the minutes from the August 1, 2014 meeting. Ken McCarty asserted that the Board's view on 1500 clinical hours and 200 supervised hours on the top of page 5 was interpreted incorrectly. The Board clarified that the collective understanding of the Board is to have 1500 clinical hours separate from and concurrent with 200 hours of supervision. Mr. McCarty suggested leaving the first sentence of the first paragraph, removing the second sentence and adding, "The Board's interpretation is that the 200 hours is concurrent with 1500 clinical hours, equaling a total of 1700 hours needed for licensure."

Task:

Laura Carrillo will send Ken McCarty and JoAnn Young CD copies of the August 1, 2014 meeting.

On a motion duly made by Linda King, seconded by Ken McCarty, and approved unanimously, it was

RESOLVED to amend the first paragraph on page 5 of the August 1, 2014 meeting minutes.

The minutes were signed by Chair Leon Webber and Licensing Examiner, Laura Carrillo.

Agenda Item 4 Ethics Report Time: 9:19 a.m.

There were no ethics violations to report.

The Board was ahead of schedule, so Ken McCarty addressed the regulatory piece approved for CEU's as well as an example template for supervision hours, which was sent to Sher Zinn via e-mail on August 1st, 2014. Ken McCarty expressed concern regarding the progress of the proposed regulatory changes and receipt of mail sent by the Board to the Division. Ms. Carrillo informed the Board that Sher Zinn received the supervision template, but not until it was sent by Ken McCarty on 10/06/2014. Ms. Carrillo also informed the Board that Sher Zinn has sent the template to the Division's Publication Specialist, Lara Brown, who has posted the form to the website. JoAnn Young asked if it was possible to set up a receipt mail notification, to which Ms. Carrillo confirmed. Ms. Carrillo stated that mail may end up in a Junk Mail box and also informed the Board that she had drafted a mail protocol to be discussed under Agenda Item # 13.

Agenda Item 5 Investigative Report Time: 9:27 p.m.

The Board's investigator, Michelle Wall-Rood joined the room at 9:27 a.m. and presented her investigative report, which included activity up to August 1, 2014. Ms. Wall-Rood informed the Board that there were no investigative cases and that an intake matter had recently closed. Leon Webber inquired about a protocol for investigative reporting. Michele-Wall Rood explained that if a complaint is jurisdictional, a Board member would be contacted and given a written form to make disciplinary recommendations.

Agenda Item 6 Applications and CE Review Time: 9:30

The license and CEU applications were reviewed.

Leon Webber gave Laura Carrillo an application for the International Institute for the Communication Arts and recused himself from voting as the application was submitted on behalf of his wife, Linda Olsen Webber.

Ken McCarty inquired whether there was a spreadsheet of states whose statutes and regulations are equal or greater to that of Alaska's. Ms. Carrillo agreed it would be a good resource but advised the Board that statutes and regulations are mutable and may not be reliable in the long-run. Ms. Carrillo also advised the Board that each credential application should be assessed individually due to such changes. Mr. McCarty wondered if the AMFTRB would have a document or algorithm indicating each state's statutes and regulations.

Leon Webber proposed—prior to direct application review and before the next Board meeting—to assign each Board member a state from which a candidate is licensed and review that state’s statutes and regulations.

Task:

Ken McCarty will ask the AMFTRB if they have a document or algorithm illustrating comparative requirements for each state.

Linda King and Leon Webber reviewed the statutes and regulations regarding Marital and Family Therapy in Tennessee. Mr. McCarty addressed that while the state of Tennessee’s statutes and regulations are less than that of Alaska’s, the Board considered Rozanne Rucker’s 12 years of experience as sufficient.

On a motion duly made by Ken McCarty, seconded by JoAnn Young and approved unanimously, it was

RESOLVED to approve Rozanne Rucker as a Licensed Marital and Family Therapist by Credentials.

On a motion duly made by Linda King, seconded by JoAnn Young and approved unanimously, it was

RESOLVED to approve Liz Lorraine as a Licensed Marital and Family Therapist by Credentials.

On a motion duly made by JoAnn Young seconded by Linda King and approved unanimously, it was

RESOLVED to approve Christy Kay to sit for the National Exam.

On a motion duly made by Linda King, seconded by JoAnn Young and approved unanimously, it was

RESOLVED to approve UAA Training Trust Cooperative’s course, Continuity of Care: Connections to Hope for 2 CEU’s.

On a motion duly made by Ken McCarty, seconded by JoAnn Young and approved unanimously, it was

RESOLVED to approve the International Institution for the Communication Art's application as a CE provider.

On a motion duly made by Ken McCarty, seconded by JoAnn Young and approved unanimously, it was

RESOLVED to table 2014 Rural Alaska Community Action Program until the next Board meeting.

Agenda Item 7 New Business

Time: 10:02 a.m.

Title 47 - Ken McCarty addressed his communication with Senator Davis, who had authored the bill to include Marital and Family Therapists in Title 47, AS 47.07.030 regarding professional organizations recognized by Medicaid. It did not reach the floor but did reach the Finance Committee of the Senate. Mr. McCarty reiterated the importance of how it would affect the State of Alaska budget and stated he is continuing to look for legislators to endorse this bill.

Task:

Ken McCarty will look for the letter regarding Title 47, if it cannot be located, another draft will be made and sent to Laura Carrillo.

On a motion duly made by Ken McCarty, seconded by JoAnn Young and approved unanimously, it was

RESOLVED to write a letter in support of Marital and Family Therapists to be included in Title 47.

Disciplinary Fines - Mr. McCarty and JoAnn Young briefly discussed disciplinary fines. Mr. McCarty asserted that the Board is limited by statute on how much a licensee can be fined.

Board Evaluations – Leon Webber addressed Board evaluations and distributed a template for Board review. Leon Webber suggested that Ms. Young use the template to draft an evaluation form that could be used by the Board at each regular meeting. Ken McCarty made a suggestion to include the language of, “not applicable” to the evaluation criteria.

Task:

JoAnn Young will make amendments to the Board evaluation template and present to the Board at the next meeting.

On a motion duly made by Linda King seconded by Ken McCarty and approved unanimously, it was

RESOLVED to review the Board Evaluation drafted by JoAnn Young at the next meeting.

RESOLVED to implement the Board Evaluation at the next meeting if approved.

Agenda Item 9 Correspondence Time: 10:30 a.m.

The Board was ahead of schedule, so Leon Webber addressed Correspondence with Lois Bergen. Laura Carrillo explained changes in the examination process as a result of the merge between AMFTRB and ProExam, including a new testing window which will allow candidates to test during a 7-day period every month. Linda King clarified that previously, the National Exam was offered only four times per year. Ms. Carrillo advised the Board that the deadline for each testing window will be the month prior to the testing window in which the applicant intends to test. Ms. Carrillo mentioned the code needed for candidate to complete their application online.

Ken McCarty, Leon Webber and Linda King discussed 12 AAC 19.110(i), under which it was clarified that applicants who fail the exam lose their MFT Temporary license, if issued, but retain their MFT Associate license and may re-take the exam after a period of six months. The Board discussed the approval process for candidates who have taken and passed the exam.

Ms. Carrillo advised the Board that at present, credential applicants are not required to take the Jurisprudence questionnaire and to consider this requirement for such applicants. The Board reviewed and discussed licensure by credentials under 12 AAC 19.115.

On a motion duly made by Linda King, seconded by Ken McCarty and approved unanimously, it was

RESOLVED to make a recommendation of amendment to 12 AAC 19.115 that would require the Jurisprudence questionnaire for credential applicants.

Chair, Leon Webber Called for Break at 10:52 a.m.

Off Record at 10:52 a.m.

On Record at 11:03 a.m.

Teletherapy/Telesupervision - The Board was ahead of schedule, so Leon Webber initiated a conversation on Old Business. Mr. Webber gave an overview of the Clear Conference held in New Orleans in August, which had an emphasis on interdisciplinary collaboration and a discussion on combined Boards. Mr. Webber reminded the Board to accede to the sunset committee's instructions and determine the Board's intent on Teletherapy and Telesupervision.

Mr. Webber addressed Paul Moore and Arkansas' model on teletherapy and telesupervision. Mr. Webber inquired about the development of a Working Committee and to allow his administrative assistant, Kirsten Penland to help develop the Board's stance on this issue.

Sher Zinn joined the meeting telephonically at 11:15 a.m.

Sher Zinn left the meeting telephonically at 11:16 a.m.

Leon Webber asked Licensing Supervisor, Sher Zinn if it would be possible to form a Working Committee. Ms. Zinn advised the Board that a committee could be formed and held without a public notice if it was comprised of no more than 2 people. If more than 2 people were involved, including non-Board members, the meeting would need to be public noticed.

Mr. Webber asked Ken McCarty if he would join the Working Committee as president of the WAMFT.

On a motion duly made by JoAnn Young, seconded by Linda King and approved unanimously, it was

RESOLVED to establish a Working Committee.

Task:

Leon Webber and Linda King will meet as a Working Committee to discuss teletherapy and telesupervision.

Task:

Leon Webber will look into whether or not Ken McCarty's participation in the Working Committee will create a conflict of working roles.

Long Distance Supervision/Electronic Therapy/Cyber Therapy - Because the Board was ahead of schedule, Leon Webber proposed to discuss this topic with Harriet Milk at 1:45.

Transfer of Supervised Hours - Linda King gave an overview of her participation in the supervision training track at the Regency AAMFT conference. Ms. King noted the interstate shift towards allowing applicants the ability to transfer their hours. Ken McCarty advised the Board that Interns and Associates transferring to other states lose their hours once transferred—particularly in states such as Virginia, Iowa and Connecticut.

The Board wants to look at how, why and under what stipulations the transfer of clinical hours is accepted or denied in a given state but collectively interpret the current regulations as requiring applicants to accrue their 1500 clinical hours in Alaska. This would require applicants to start over if transferring from another state. The Board discussed the possibility of allowing a limited number of hours to be transferred. Leon Webber asked the Board whether a ratio of supervised to clinical hours should be introduced.

The Board would like to require all 1500 clinical hours to be supervised in addition to the requirement of having 200 hours of supervised practice in the State of Alaska. Ken McCarty suggested to bring clarity to 08.63.100 by recommending a change of language to read as follows:

- 08.63.100(a)(C)(i). “Practice marital and family therapy, including 1,500 hours of direct supervised clinical contact with couples, individuals and families; and
- (ii) been supervised *concurrently* in the clinical contact for at least 200 hours, including 100 hours of individual supervision and 100 hours of group supervision approved by the Board”.

Mr. McCarty asserted that Senator Anna Fairclough is willing to endorse this statute change.

Task:

Ken McCarty will look into establishing a ratio of supervision to clinical hours and discuss findings at the next Board meeting.

Task:

Ken McCarty will draft a letter for Senator Fairclough illustrating the favor of the Board to amend supervised clinical contact hours.

Task:

Linda King will draft a protocol for the transfer of supervision hours.

On a motion duly made by Ken McCarty, seconded by Linda King and approved unanimously, it was

RESOLVED to make a recommendation of amendment to 08.63.100(a)(C)(i) and (ii).

The Board was ahead of schedule, so Ken McCarty addressed proposed changes with the WAMFT. The WAMFT has proposed the removal of divisions and establishment of a central office, and has initiated the concept of paid membership to special interest groups. This would create a divergence among the WAMFT and require membership to the National organization. Votes are needed by June, 2015.

Agenda Item 8 Lunch Time: 11:54

Off record at 11:54 a.m.

On record at 12:53 p.m.

Agenda Item 11 Old Business Time: 12:53 p.m.

The Board returned to Agenda Item #11, Old Business.

Harriet Milks joined the room telephonically at 1:06 p.m.

Transfer of Supervision/Labor Mobility - Harriet Milks informed the Board that she was prepared to expound upon 08.63.100, 08.63.110 and labor mobility. Mr. McCarty reiterated the change of language discussed earlier under Agenda Item #11 regarding supervised clinical hours and supervision.

Ms. Milks asserted that 08.63.110 is inconsistent with the general licensing statutes and advised the Board to harmonize 08.63.100 and 08.63.110 by incorporating under 08.63.100(a)(C)(i) the following:

- “practice marital and family therapy *as a marital and family therapy associate under 08.63.110*, including 1500 hours...”. Ms. Milks and the Board continued to discuss clarification of language regarding associate licensure and supervision.

Harriet Milks addressed 08.64.250 of the Medical Board and suggested to the Board that they may consider adopting similar language to waive supervision requirements. Ms. Milks also addressed supervision hours under the Board of Nursing, 08.68.800(3), which grants practice to students enrolled in a nursing program; Harriet Milks suggested that the Board may draft language to offer similar exceptions to supervision.

Leon Webber addressed how the Board would be able to determine whether or not an out-of-state applicant’s supervision hours is legitimate and what the protocol should be for dealing with applicants whose state of licensure has statutes and regulations is less than that of Alaska’s. Mr. Webber then proposed to establish a clause to allow the Board to accept transfer of supervision hours at its discretion. Ms. Milks advised the Board to refer to

regulation 12 AAC 19.130. The Board wants out-of-state applicants to apply for the MFT A license to accrue clinical and supervised hours.

Task:

Ken McCarty will continue to work with Harriet Milks regarding clarification of language and revision to 08.63.100, 08.63.110 and transfer of supervised hours.

Harriet Milks left the room telephonically at 1:47 p.m.

Agenda Item 10 Public Comment Time: 1:30 p.m.

No one from the public was present for public comment.

Agenda Item 13 Administrative Business Time: 1:48 p.m.

Board Task List – Laura Carrillo and the Board reviewed the Board's task list.

Task:

Laura Carrillo will provide JoAnn Young and Ken McCarty with the audio recording from the August 1, 2014 meeting.

Task:

Laura Carrillo will follow-up with Sher regarding business cards.

Schedule Meeting Dates – The Board discussed meeting dates including re-scheduling the January 23rd, 2015 meeting, which conflicts with the examiner's Chiropractic Board meeting. The Board decided to schedule the next three meeting dates. Sher Zinn was phoned to reserve a room for the next meeting date.

Sher Zinn joined the meeting telephonically at 2:00 p.m.

Sher Zinn left the meeting telephonically 2:01 p.m.

On a motion duly made by Ken McCarty, seconded by JoAnn Young and approved unanimously, it was

RESOLVED to schedule subsequent meetings for January 29th, 2015 in Juneau; April 17th, 2015 in Anchorage; July 17th, 2015 in Anchorage.

MFT Mail Protocol – Leon Webber requested Laura Carrillo to write up a mail protocol after he had not been notified of the AMFT Conference in New Orleans in August. Ms. Carrillo described the mail protocol; time-sensitive mail would be sent to the Board

members; mail addressed to individual Board members would be forwarded; Board business mail would be included in Board packets for the next meeting.

Sign Wall Certificates – There were no wall certificates to sign.

TA's and Receipts – There were no TA's to sign but Mr. Webber advised Ms. Carrillo to double-check with Sher Zinn on these.

Agenda Item 12 Budget Report/Division Updates Time: 2:20 p.m.

Director, Sara Chambers & Operations Manager, Colleen Kautz joined the room at 2:20 p.m.

Director Sara Chambers advised the Board that a comprehensive report would be available at their next meeting, with which would bring clarity to reported budget values. Director Chambers then addressed the Board's total revenue and the availability of the direct expense breakdown for FY14; the Board was informed that the amount for FY14 was higher than previous years and that the current renewal period will generate revenue in FY15.

Director Chambers then informed the Board that she had sent an e-mail to all Board members regarding her analysis of licensing fees, which did not warrant any changes. The Board asserted they did not receive this e-mail. It was then explained that the Board's direct expenditures for FY14 were slightly less than previous years partly due to the turnover in the examiner position. Ms. Chambers informed the Board that travel expenses and contractual expenses increased slightly.

Martha Hewlett joined the meeting telephonically at 2:30 p.m.

Ms. Hewlett expounded upon contractual expenses and advised the board that some expenses included an investigative case and research on sexual orientation change efforts. The Board was not familiar with the research on sexual orientation change efforts. Director Chambers requested Ms. Hewlett to look into whether this research was erroneously billed to the Marital and Family Therapy program.

Ms. Hewlett then addressed indirect expenses and explained what services are allocated to this category. Ken McCarty stated that the increase from FY13 to FY14 was substantial. Ms. Hewlett explained that one of the major changes regarding the accounting of expenditures was the shift to using transaction counts to generate expenditure values. Ken McCarty then expressed concern over the increase in direct expenses by approximately \$12,000. Ms. Hewlett stated that the payroll report for the direct personal services charged for FY13 and

FY14 was greater than in FY12 and previous years due to the MFT program not having enough examiners to devote adequate amount of time to its program. Since FY13, more time allowed for examiners to dedicate to the Marital and Family Therapy program has resulted in an increase in direct personal expenses. Director Chambers assured the Board that the comprehensive report would better illustrate direct and indirect expenses.

Leon Webber inquired about whether billed time was allocated equally to programs when the examiner is assigned multiple programs. Direct Chambers advised the Board that billed time is based on the examiner's time effort on a specific program and is reflected on the examiner's timesheet. The new travel process, including reimbursements was also discussed.

Director Chambers discussed the current classification study and presented a brief outline of the Clear Conference in specific regards to evaluating license disciplines. The Board then provided Colleen Kautz with current e-mail addresses to ensure receipt of important Board updates and notices.

Martha Hewlett left the room telephonically at 3:26 p.m.

Director, Sara Chambers & Operations Manager, Colleen Kautz left the room at 3:26 p.m.

Agenda Item 14 Adjourn Time: 3:32 p.m.

On a motion duly made by Linda King, seconded by JoAnn Young and approved unanimously, it was

RESOLVED to Adjourn the meeting at 3:32 p.m.

Respectfully submitted,

Laura Carrillo, Examiner

Leon Webber, Chair

Date